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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference W1.1938PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/000270	International filing date (day/month/year) 31 January 2003 (31.01.2003)	Priority date (day/month/year) 25 June 2002 (25.06.2002)
International Patent Classification (IPC) or national classification and IPC B41F 13/21		
Applicant KOENIG & BAUER AKTIENGESELLSCHAFT		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 7 sheets, including this cover sheet.
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 02 July 2003 (02.07.2003)	Date of completion of this report 07 October 2004 (07.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/000270

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages 3-10, as originally filed
pages _____, filed with the demand
pages 1, 1a, 2, filed with the letter of 13 August 2004 (13.08.2004)
- ☒ the claims:
pages 6-12, 20-25, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages 1-5, 13-19, filed with the letter of 13 August 2004 (13.08.2004)
- ☒ the drawings:
pages 1/1, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/000270

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☒ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☐ not complied with for the following reasons:

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos. _____

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV

Lack of unity of invention

1. The Examining Authority has found that the international application contains several inventions not linked by a single general inventive concept (PCT Rule 13.1):

I: Claims 1 to 3 and 13 to 25:

Forme cylinder without support element.

II: Claims 4 to 12:

Printing pressure adjustable as a function of the printing forme.

2. The reasons are as follows:

In the case of a device having support elements on a pair of impression/transfer cylinders and an associated forme cylinder not having a support element, as per the essential feature of the first invention (claim 1), the printing pressure is not necessarily adjustable as a function of printing forme properties, as per the essential feature of the second invention (claim 4), and vice versa. A device according to claim 1 could, for example, also contain a **water-carrying** printing forme, while a device according to claim 4 could also comprise a forme cylinder **having** a support element.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE 03/00270

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV

3. Contrary to PCT Rule 13.1, the two inventions are not linked by a technical relationship in the form of same or corresponding special technical features in the two independent claims, claims 1 and 4.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/DE 03/00270

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-25	YES
	Claims		NO
Inventive step (IS)	Claims	1-25	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-25	YES
	Claims		NO

2. Citations and explanations

1. First invention according to claims 1 to 3 and 13 to 25:

1.1 Claim 1:

1.1.1 Prior art:

Document WO-A-00/41887, which is cited in the description and considered the closest prior art, discloses a device having all the features of the preamble of independent claim 1.

1.1.2 Problem:

To facilitate the adjustment of the printing pressure in a printing unit between a forme cylinder and a transfer cylinder cooperating with the forme cylinder, whilst maintaining the necessary stability between the transfer cylinder and its impression cylinder, so as to be able to load the forme cylinder with at least one printing forme of relatively low mechanical strength and low temperature resistance.

1.1.3 Solution:

The specific combination of all the features of claim 1, especially the trackability of the axial distance between the forme cylinder and the transfer cylinder, there being no support elements between the two cylinders according to the characterizing part of claim 1, is not described or suggested in the prior art. Claim 1 therefore involves an inventive step.

1.2 Claims 2, 3 and 13 to 25:

Dependent claims 2 and 3, and 13 to 25 define advantageous embodiments of the device according to claim 1 and are therefore likewise novel and inventive relative to the known prior art (PCT Article 33).

2. Second invention according to claims 4 to 12:

2.1 Claim 4:

2.1.1 Prior art:

Document D3 (EP-A-0 652 104), which is considered the closest prior art, discloses a device having all the features of the preamble of independent claim 4.

2.1.2 Problem:

To provide a device in a printing unit of a rotary printing press comprising a forme cylinder, a transfer cylinder and an impression cylinder.

2.1.3 Solution:

The specific combination of all the features of claim 4, especially the adjustability of the printing pressure as a function of a property of the waterless printing forme according to the characterizing part of claim 4, is not described or suggested in the prior art, and hence claim 4 involves an inventive step within the meaning of PCT Article 33(3).

2.2 Claims 5 to 12:

Claims 5 to 12 define advantageous embodiments of the device according to claim 4 and are therefore likewise novel and inventive relative to the known prior art (PCT Article 33).